

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WESLEY YARBROUGH ,

Plaintiff,

v.

ORDER

Case No. 14-cv-332-wmc

SCHOOL DISTRICT OF BELOIT WI,
MARK SMULLEN-PRINCIPAL AND KATE
BARES-TEACHER,

Defendants.

Plaintiff Wesley Yarbrough has filed a proposed civil complaint, alleging that Defendants discriminated against him because of his race and gender. Plaintiff has asked for leave to proceed without prepayment of the filing fee and has supported his request with an affidavit of indigency. The standard for determining whether plaintiff qualifies for indigent status is the following:

- From plaintiff's annual gross income, the court subtracts \$3,700 for each dependent excluding the plaintiff.
- If the balance is less than \$16,000, the plaintiff may proceed without any prepayment of fees and costs.
- If the balance is greater than \$16,000 but less than \$32,000, the plaintiff must prepay half the fees and costs.
- If the balance is greater than \$32,000, the plaintiff must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

In this case, plaintiff reports he has one dependent, a son who currently receives \$288 per month from SSD. In addition, plaintiff reports that he currently receives \$922 per month from SSD, \$222 per month in child support and \$34 in food stamp benefits making his monthly income \$1,466 or his annual income \$17,592. Plaintiff's adjusted annual income comes to \$13,892 after subtracting \$3,700 for the care of his son. Plaintiff has no substantial assets. Accordingly, I find that plaintiff may proceed without any prepayment of fees or costs.

ORDER

IT IS ORDERED that:

1. The motion filed by plaintiff Wesley Yarbrough for leave to proceed without prepayment of fees (Dkt. # 2) is GRANTED.
2. No further action will be taken in this case until the court has screened the complaint pursuant to 28 U.S.C. § 1915 to determine whether the case must be dismissed because the complaint is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief against a defendant who is immune from such relief. Once the screening process is complete, a separate order will issue.

Entered this 9th day of May, 2014.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge